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AUGUST 18, 2022 BY RONNIE

ONSC Rules Child Cannot Be Forced To Take Injections

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M.M. v. W.A.K., 2022 ONSC 4580 (CanLII)

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SUPERIOR COURT OF JUSTICE - ONTARIO

An Ontario Superior Court Judge dismissed an application to essentially force a minor to get a shot against her will.

Parents were in the midst of divorce and custody issues, and the topic of the “vaccines” came up. The father was insistent that the daughter get it, while the mother said she would respect the girl’s own choices. The girl, who is 12 years old, has outright refused to get it.

Throughout the decision, the term “taken judicial notice” comes up again and again. What this means is that a court will not look into an issue, simply because some other court or

adjudication body has already done so. While there is a certain logic to it, garbage rulings can also simply be accepted on this basis.

[1] The respondent father brings this motion ***seeking an order directing that the applicant mother ensure that their daughter is vaccinated against COVID-19 and that she receives any further and additional scheduled vaccinations in accordance with provincial recommendations***, failing which the father shall be permitted to return this matter to seek sole decision-making authority over all aspects of the child’s medical care.

[11] Unfortunately, Mr. Tonge was not able to provide the opinion requested. By letter to the parties dated February 22, 2022, Mr. Tonge stated that he understood he was requested and agreed to assist S. in reconnecting with her father and not to undertake an assessment of parental influence. ***He was unaware of the vaccination issue until it was raised by S.. Mr. Tonge could not comment on the “presence or absence of parental influence and the understanding, capacity and maturity of this child to make a decision”*** as he was not asked to, nor did he agree to conduct such an assessment.

[15] The ***respondent father’s position*** is that it is presumptively in S.’s best interest that she be vaccinated against the COVID-19 virus and mother has provided no evidence to rebut this presumption. ***The apparent objections of S. do not stem from any sound medical evidence or opinion. Mother has improperly left the decision up to S. who is not old enough, mature enough, or knowledgeable enough to make such a major health decision.*** Thus, it falls on this court to step in and protect the child’s best interests, to make sure that she receives her COVID-19 vaccination to protect her and to protect her classmates, her friends, her neighbours, and family.

[37] The issue before the court in taking judicial notice of scientific facts is not assessing whether the science is “fake science”, but ***whether scientific facts that would normally require expert opinion to be admitted, may be judicially noticed without proof***. This issue was recently addressed by Breithaupt Smith J. in R.S.P. v. H.L.C. 2021 ONSC 8362 in which she provided what has been described as a timely warning (J.N. v. C.G., 2022 ONSC 1198 at para 65):

[42] I am ***not prepared to take judicial notice*** of any government information with respect to COVID-19 or the COVID-19 vaccines.

[43] Even if I were to take judicial notice of the “safety” and “efficacy” of the vaccine, ***I still have no basis for assessing what that means for this child. I must still determine how safe, how efficacious the vaccine is for this child. Does safe mean there are no side effects?*** Is the vaccine effective in protecting her from contracting COVID-19, from spreading it, from dying from it, from severity of symptoms? As with informed consent, there are many factors that must be carefully considered in weighing risks and benefits.

[58] I am mindful in considering S’s best interests that an order that mother ensure she is vaccinated would have irreversible consequences, ***if S. was vaccinated as a result. One cannot be unvaccinated.*** In that respect, it is a final order.

[59] Finally, ***I am satisfied that S. is a “mature minor”*** as explained by Abella J. in A.C. v. Manitoba (Director of Child and Family Services), 2009 SCC 30 at para 47. S. is capable with respect to treatment pursuant to s. 4 of the Health Care Consent Act, 1996, SO 1996, c 2, Sch A. ***She is mature enough to accept or refuse treatment.***

There is a certain logic to it. If young children are “mature” enough to get the shot, then they should be mature enough to make the decision to refuse it.

The court also makes the observation that a person cannot ever be “unvaccinated”. That alone should be enough to give pause before pushing these injections. It was also noted that the “evidence” seems to keep changing, which is another reason to not take the matter as settled.

This adolescent girl seems to have more sense than either of her parents, but at least the mother was willing to respect her personal choices.

(1) <https://www.canlii.org/en/on/onsc/doc/2022/2022onsc4580/2022onsc4580.html>

(2) <https://www.canlii.org/en/on/onsc/doc/2022/2022onsc4580/2022onsc4580.pdf>

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4 Replies to “ONSC Rules Child Cannot Be Forced To Take Injections”



Louise

AUGUST 18, 2022 AT 11:35 PM

Bravo Juge Smith!

Bon jugement, car il faut respecter le code de loi Nuremberg 2.0 contre la vaccination obligatoire et la constitution canadienne des droits et libertés de chaque individu canadien entant qu'être humain. Maintenant qu'il est prouvé que plus la personne est jeune, elle peut avoir les effets secondaires comme une myocardite de la thérapie génétique expérimentale ARN messenger. Les cas ont été vu en direct chez des sportifs et des pilotes d'avion et tous n'étaient pas sujets à ces symptômes cardiaques avant l'inoculation. Donc , si personne ne peut définir ce qu'il y a dans ces fioles de vaccins. Mieux vaut s'abstenir.



gracejoubarne461654805

AUGUST 19, 2022 AT 5:36 AM

I was thinking as I got to about half way through this article, that this child has more sense than both parents. And then you said it! Thank you.

I feel so sorry for the children who are being raised by completely egotistical idiots. Putting a child through something like this over an experimental injection is plainly child abuse, IMHO.



TR M

AUGUST 26, 2022 AT 5:59 PM

I'm advocating everyone ask their doctors a question. One specific question so that we can tell who we are dealing with and if we should listen to what they say on covid.

I hope all patients put doctors "On The Spot". Nothing personal but you've lost all credibility by going along to get along, even when you knew it was wrong" for 18 months.

Is your doctor a medical professional or a paid whore for the pharma cartel? A simple question for your doctor to determine if they are a "Pro or Ho":

“Should healthy children under the age of 12 get the shots?”.

If the answer isn't “NO” then you have a “Ho”. There is no “yes” or “it depends”. The IFR for healthy kids is so far to the right of the decimal that they have a statistically ZERO chance of dying from covid. It is of zero benefit for them to get the shots. It also is of zero benefit to anyone else because they will still get it and transmit it, injected or not.

ASK YOUR DOCTOR.



gracejoubarne461654805

AUGUST 27, 2022 AT 4:52 AM

And, by the looks of things in areas of transgender, education and healthcare, at least 50% of children are stuck with 'ho' parents who are 'dedicated' to the leftist cult. The War on Children by parents, educators, the medical profession, and particularly the WEF/UN/Canadian government, is now undeniable.